



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 28 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dr. Carol A. Eaton
Superintendent of Schools
Whitney Point Central School District
P.O. Box 249
Whitney Point, NY 13862

Re: Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a), and Approval for Characterization and Verification Sampling under 40 CFR §761.61(c)

Dear Dr. Eaton:

This is in response to the March 14, 2008 submission prepared by Atlantic Testing Laboratories (ATL), on behalf of the Whitney Point Central School District. The submission concerns the proposed remediation plan to address polychlorinated biphenyl (PCB) contamination at the Whitney Point High School (also referred to as the "Site") located in Whitney Point, New York. ATL's submission also includes a request for a waiver of the 30-day notification requirement of 40 CFR §761.61(a)(3). The proposed remediation plan was amended through submittal of additional information by ATL on March 26, 2008. Collectively, these documents will be referred to as the "Application". The Site contains PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed removal of the PCB-remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on the characterization sampling previously conducted at the Site, as well as the additional sampling that ATL has proposed, EPA finds that this sampling is acceptable for delineating areas of PCB remediation waste to be addressed. EPA also finds that ATL's plan for verification sampling is acceptable for purposes of determining compliance with the PCB cleanup standard for low occupancy areas of 25 parts per million (with implementation of a deed restriction meeting the requirements of 40 CFR §761.61(a)(8), if necessary). EPA is approving the Whitney Point Central School District's Application and request for a waiver of the 30-day notification requirement, and it may proceed with the cleanup and disposal under 40 CFR §§761.61(a) and (c) and its Application, subject to this approval.

Should you have any questions concerning this matter, please contact James S. Haklar, Ph.D., P.E., of my staff, at (732) 906-6817.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dore LaPosta".

Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

cc: Jim Harrington, New York State Department of Environmental Conservation
Gerald McDonald, New York State Department of Health